

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

American Dairy Queen Corporation,

Civil No. 11-358 (RHK/TNL)

Plaintiff,

ORDER

v.

Guy A. Blume, *et al.*,

Defendants.

Before the Court is the October 12, 2012, Report and Recommendation of United States Magistrate Judge Tony N. Leung. Judge Leung has recommended the denial of Defendant Blume's Motion to Dismiss/Transfer (Doc. No. 126). Defendant has filed Objections to the Report and Recommendation and the undersigned has conducted a de novo review of the Report and Recommendation and the Objections thereto. That review satisfies this Court that Judge Leung's recommended disposition is fully supported by the record before him and by controlling legal principles.

Based upon all the files, records and proceedings herein, **IT IS ORDERED:**

1. The Objections (Doc. No. 256) are **OVERRULED**;
2. Report and Recommendation (Doc. No. 229) is **ADOPTED**; and
3. Defendant's Motion to Dismiss/Transfer (Doc. No. 126) is **DENIED**.

Dated: November 26, 2012

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge